

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT  
☐ SUPERSEDING
**OFFENSE CHARGED**

Count One: 15 U.S.C. §1 - Price Fixing

- ☐
- Petty
- 
- ☐
- Minor
- 
- ☐
- Misdemeanor
- 
- ☒
- Felony

PENALTY: See attached penalty sheet.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

**DEFENDANT - U.S.**

Bumble Bee Foods, LLC

DISTRICT COURT NUMBER

**CR17 249****CRB****DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)
- ☒
- If not detained give date any prior summons was served on above charges
- FILED**
- 
- 2)
- ☐
- Is a Fugitive
- 
- 3)
- ☐
- Is on Bail or Release from (show District)
- MAY - 8 2017**

**IS IN CUSTODY**

- 4)
- ☐
- On this charge
- 
- 5)
- ☐
- On another conviction }
- ☐
- Federal
- ☐
- State
- 
- 6)
- ☐
- Awaiting trial on other charges
- 
- If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

**DATE OF ARREST**

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

**DATE TRANSFERRED TO U.S. CUSTODY**

Month/Day/Year

 SUSAN Y. SOONG  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA
**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

Federal Bureau of Investigation

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

SHOW DOCKET NO.

☐ U.S. ATTORNEY ☐ DEFENSE

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form Leslie Wulff, DOJ-Antitrust
☐ U.S. Attorney ☒ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

☐ This report amends AO 257 previously submitted
**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**
☐ SUMMONS ☒ NO PROCESS\* ☐ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments:

PENALTY SHEET

Corporation: **Bumble Bee Foods, LLC**

15 U.S.C. § 1 – Price Fixing (Count 1)

Maximum Penalties:

**CR 17**

**249**

**CRB**

1. A fine in an amount equal to the largest of:
  - A. \$100 Million.
  - B. Twice the gross pecuniary gain derived from the crime.
  - C. Twice the gross pecuniary loss caused to the victims of the crime.
2. A term of probation of at least one year but not more than five years.
3. \$400 special assessment.
4. Restitution

**FILED**

**MAY -8 2017**

**SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

IA

1 LESLIE A. WULFF (CSBN 277979)  
2 MANISH KUMAR (CSBN 269493)  
3 ANN CHO LUCAS (CSBN 309026)  
4 United States Department of Justice  
5 Antitrust Division  
6 450 Golden Gate Avenue  
7 Box 36046, Room 10-0101  
8 San Francisco, California 94102  
9 Telephone: (415) 934-5300  
10 Facsimile: (415) 934-5399  
11 Leslie.Wulff@usdoj.gov

12 Attorneys for the United States

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO DIVISION

FILED

MAY -8 2017

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CRB

249

CR17

16 UNITED STATES OF AMERICA,  
17 Plaintiff,

18 v.

19 BUMBLE BEE FOODS, LLC,  
20 Defendant.

Case No. 17 CR \_\_\_\_\_

INFORMATION

15 U.S.C. § 1 — Price Fixing

21 The United States of America, acting through its attorneys, charges:

22 I.

DESCRIPTION OF THE OFFENSE

23 1. BUMBLE BEE FOODS, LLC ("defendant") is hereby made defendant on the  
24 charge contained in this Information.

25 2. Beginning at least as early as the first quarter of 2011 and continuing until at  
26 least as late as the fourth quarter of 2013, the exact dates being unknown to the United States,  
27 in the Northern District of California and elsewhere, the defendant and its coconspirators  
28 knowingly entered into and engaged in a combination and conspiracy to fix, raise, and  
maintain the prices of packaged seafood sold in the United States. The combination and

1 conspiracy engaged in by the defendant and coconspirators was an unreasonable restraint of  
2 interstate commerce in violation of Section 1 of the Sherman Antitrust Act (15 U.S.C. § 1).

3 3. The charged combination and conspiracy consisted of a continuing agreement,  
4 understanding, and concert of action among the defendant and coconspirators, the substantial  
5 terms of which were to fix, raise, and maintain prices of packaged seafood.

6 4. For purposes of this Information, packaged seafood consists of shelf-stable  
7 tuna fish.

8 II.

9 DEFENDANT AND COCONSPIRATORS

10 5. During the time period covered by this Information, the defendant was a  
11 corporation organized and existing under the laws of Delaware and had its principal place of  
12 business in San Diego, California.

13 6. During the time period covered by this Information, the defendant was a  
14 producer of packaged seafood and was engaged in the sale of packaged seafood in the  
15 United States and elsewhere.

16 7. Various business organizations and individuals, not made defendants in this  
17 Information, participated as coconspirators in the offense charged in this Information and  
18 performed acts and made statements in furtherance of it.

19 8. Whenever in this Information reference is made to any act, deed, or transaction  
20 of any business organization, the allegation means that the business organization engaged in  
21 the act, deed, or transaction by or through its officers, directors, employees, agents, or other  
22 representatives while they were actively engaged in the management, direction, control, or  
23 transaction of its business or affairs.

24 III.

25 MEANS AND METHODS OF THE CONSPIRACY

26 9. For the purpose of forming and carrying out the charged combination and  
27 conspiracy, the defendant and its coconspirators did those things that they combined and  
28 conspired to do, including, among other things:

1 a. engaged in conversations and discussions and attended meetings with  
2 representatives of other major packaged-seafood-producing firms;

3 b. agreed and reached mutual understandings during these conversations,  
4 discussions, and meetings, to fix, raise, and maintain the prices of packaged seafood sold in the  
5 United States; and

6 c. negotiated prices with customers and issued price announcements for  
7 packaged seafood in accordance with the agreements and mutual understandings reached.

8 IV.

9 TRADE AND COMMERCE

10 10. During the time period covered by this Information, packaged seafood sold by  
11 the defendant and one or more of the coconspirator firms, and equipment and supplies  
12 necessary to the production and distribution of packaged seafood, as well as payments for  
13 packaged seafood, traveled in interstate commerce.

14 11. During the time period covered by this Information, the business activities of  
15 defendant and its coconspirators in connection with the sale of packaged seafood were within  
16 the flow of, and substantially affected, interstate commerce.

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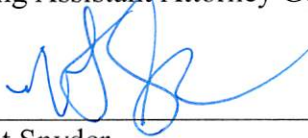
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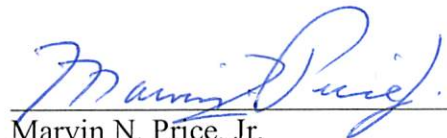
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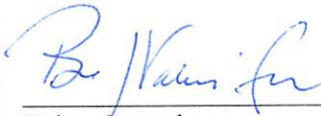
Andrew C. Finch  
Acting Assistant Attorney General



Brent Snyder  
Deputy Assistant Attorney General



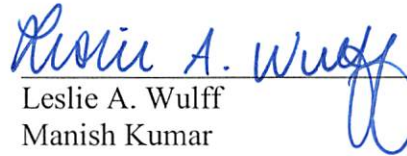
Marvin N. Price, Jr.  
Director of Criminal Enforcement  
United States Department of Justice  
Antitrust Division



Brian Stretch  
United States Attorney  
Northern District of California



E. Kate Patchen  
Chief, San Francisco Office



Leslie A. Wulff  
Manish Kumar  
Ann Cho Lucas  
Trial Attorneys  
United States Department of Justice  
Antitrust Division